

Mathews v. Weber, 423 U.S. 261, 270 (1976). The Court is charged with making a de novo determination of those portions of the Report to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

The Magistrate Judge filed the Report on June 24, 2009, and the Clerk of Court entered Plaintiff's objections to the Report on July 14, 2009. On page fifteen of Plaintiff's thirty-three page submission, Plaintiff requests that the Court allow him to correct the errors in his pleading. Construed liberally, the Court views this as a motion to amend pursuant to Rule 15(a) of the Federal Rules of Civil Procedure. Thus, through no fault of the Magistrate Judge, this case is hereby **REFERRED** to the Magistrate Judge for further proceedings.

IT IS SO ORDERED.

Signed this 23rd day of July, 2009, in Spartanburg, South Carolina.

s/ Henry F. Floyd
HENRY F. FLOYD
UNITED STATES DISTRICT JUDGE